

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

CATEGORICAL EXCLUSION REVIEW

OFFICE: Upper Willamette Resource Area

TRACKING NUMBER: DOI-BLM-OR-E060-2012-0008-CX

CASEFILE/PROJECT NUMBER: 2860/OR 67595

PROJECT NAME: South Lane Television, Inc. Communication Use Lease

LOCATION/LLEGAL DESCRIPTION: Lot 7 (Portion of), Sec. 29., T. 21 S., R. 1 W., W.M.

APPLICANT (if any): South Lane Television, Inc.

A. Description of Proposed Action and any applicable mitigation measures

In 2002, Communication Site Lease OR 56656 was issued by the BLM to South Lane Television, Incorporated. This lease authorized the right to operate, maintain, and terminate a communication site facility located atop Hawley Butte. This communication site consists of a 12' x 6' concrete block building, a 575 gallon propane tank, generator, 3 wooden utility pole towers with affixed antennae, 160' guyed steel tower, a solar panel array, and a 40' x 60' vehicle turnaround. This lease is set to expire on December 31, 2012 and South Lane Television, Inc., have requested, in writing, a new lease to continue operations.

In response to the request, the proposed action is to issue a new lease with the same terms as Lease OR 56656. No ground disturbing activities are associated with the proposed action.

B. Land Use Plan (LUP) Conformance

LUP Name: Eugene District Record of Decision and Resource Management Plan (RMP), as amended. Date Approved: June 1995.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

"Administrative actions are the day-to-day transactions required to serve the public and to provide optimum use of resources. These actions are in conformance with the plan. They include, but are not limited to...lands and realty actions, including issuance of grants, leases, and permits and resolution of trespass."

C. Compliance with NEPA

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (E)(16), "Acquisition of easements for an existing road or issuance of leases, permits, or rights-of-way for the use of existing facilities, improvements, or site for the same or similar purposes."

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 apply.

D. Signature

Signature of Project Lead:

/s/ Christie Hardenbrook

Christie Hardenbrook, Realty Specialist

Date: 12/6/12

Signature of NEPA Coordinator:

/s/ Francisca Paulete

Francisca Paulete, Environmental Coordinator

12/6/12

Date: _____

Signature of the Responsible Official:

/s/ William O'Sullivan

William O'Sullivan, Field Manager

12/6/12

Date: _____

Contact Person

For additional information concerning this Categorical Exclusion review, contact: Christie Hardenbrook, Realty Specialist 541-683-6110.

EXTRAORDINARY CIRCUMSTANCES CHECKLIST

DOI-BLM-OR-E060-2012-0008-CX

South Lane Television, Inc. Communication Use Lease

Review the proposed action against each of the 12 "extraordinary circumstances" listed below. Any action that is normally categorically excluded must be subjected to sufficient environmental review to determine whether it meets any of the extraordinary circumstances, in which case, further analysis and environmental documents must be prepared for the action. If the criterion does not apply, indicate "Not Applicable." Any mitigation measures (such as contract stipulations or terms and conditions on permits) necessary to ensure that the proposed action qualifies as a categorical exclusion should be identified at the bottom of the page.

Extraordinary Circumstances	YES	NO
1. Have significant impacts on public health or safety. <u>Rationale:</u> The proposed action involves an existing facility within an established communication site where all actions conform to established rules concerning public health and safety.		X
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas. <u>Rationale:</u> There are no natural resources or unique geographic characteristics that would be affected by this action.		X
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]. <u>Rationale:</u> There are no predicted environmental effects from the proposed action which are considered to be highly controversial, nor are there unresolved conflicts concerning alternative uses.		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks. <u>Rationale:</u> The proposed operations are not unique or unusual. The BLM has considerable experience implementing similar actions without highly controversial, highly uncertain, or unique or unknown risks.		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects. <u>Rationale:</u> The BLM has conducted similar actions without significant environmental effects. There is no evidence that this action would establish a precedent or a decision in principle about future actions.		X
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. <u>Rationale:</u> There are no known cumulative effects associated with this action. The proposed action sits within an established communication site and does not involve ground disturbing activity.		X
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office. <u>Rationale:</u> There are no listed properties, or properties eligible for listing, within the project area.		X
8. Have significant impacts on species listed, or proposed to be listed, as an Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. <u>Rationale:</u> This proposed project would not impact any T&E or Bureau Special Status species since none have been found on site.		X
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment. <u>Rationale:</u> The proposed action conforms to the direction given for the management of public lands in the Eugene District ROD/RMP, which complies with all applicable Federal, State,		X

Extraordinary Circumstances	YES	NO
local and tribal laws.		
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 2898). <u>Rationale:</u> The proposed project is not expected to have a disproportion adverse effect on low income or minority populations.		X
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). <u>Rationale:</u> The project area has not been identified as an Indian sacred site.		X
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). <u>Rationale:</u> The proposed action would not result in measurable changes to the current baseline of the risk, or actual introduction, continued existence, or spread of noxious weeds or non-native invasive species in or from the project area. The proposed action does not introduce any vector for spread or introduction beyond such vectors already found.		X

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DECISION RECORD

DOI-BLM-OR-E060-2012-0008-CX
South Lane Television, Inc. Communication Use Lease

Decision

It is my decision to implement this action as described in the categorical exclusion documentation DOI-BLM-OR-E060-2012-0008-CX.

Decision Rationale

The proposed action has been reviewed by BLM staff. The Proposed Action is in conformance with the 1995 Eugene District Record of Decision and Resource Management Plan (as amended). Based on the Categorical Exclusion Review, I have determined that the proposed action involves no significant impact to the human environment and no further analysis is required.

Administrative Remedies

Any person adversely affected by this decision may appeal it to the Interior Board of Land Appeals (IBLA), Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4. If an appeal is taken, a notice of appeal must be filed in this office within 30 days of this decision for transmittal to the Board. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and with the Board within 30 days after the notice of appeal was filed. A copy of a notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 805 SW Broadway, Suite 600, Portland, OR 97205.

Signature of the Responsible Official:

/s/ William O'Sullivan

William O'Sullivan
Field Manager, Upper Willamette Resource Area
Eugene District Office

12/6/12

Date: